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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 10/812,972 | 03/31/2004 | Ya-Fang Nien | BHT-3111-448 | 4871 |
| 7590 BRUCE H. TROXELL SUITE 1404 5205 LEESBURG PIKE FALLS CHURCH, VA 22041 | | 03/09/2007 | EXAMINER CHANG, ERIC | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2116 | |
| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE | | |
| 3 MONTHS | 03/09/2007 | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/812,972 | NIEN ET AL. | |
| | Examiner Eric Chang | Art Unit 2116 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 20 December 2006.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-9 and 11-14 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-9 and 11-14 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>12-20-06</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Claims 1-9 and 11-14 are pending.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 6-7 and 14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,345,347 to Hopkins et al.
4. As to claim 1, Hopkins discloses an automatic power conservation method for an media drive, comprising: using a host interface of the media drive to turn off a plurality of circuit components that are still in operation after the media drive enters a sleep mode, and thereafter the host interface also being used to respond to an external signal [col. 14, lines 1-19]; using the host interface of the media drive to wake up the plural circuit components if the external signal requests the media drive to leave the sleep mode [col. 14, lines 19-21]; wherein the media drive wakes up and exits the sleep mode if the external signal is not a Sense command signal [col. 3, lines 18-26]. Hopkins teaches that the external command is a Reset command, and not a Sense command. Furthermore, Hopkins teaches the host interface responds to the external command, because the microcontroller is inactive [col. 14, lines 16-19], as in an AUTOACK mode.

5. As to claim 6, Hopkins discloses using the host interface of the media drive to respond to a signal sent from a host connecting to the media drive while the media drive enters the sleep-mode [col. 14, lines 19-21].

6. As to claim 7, Hopkins discloses the host is a personal computer [84].

7. As to claim 14, Hopkins discloses an automatic power conservation device for an media drive, featuring: a host interface of the media drive having a firmware embedded therein capable of responding to an external signal inputted from outside the media drive [col. 14, lines 19-21].

Hopkins teaches a host interface of the media drive [57] comprises disk controller firmware [FIG. 1] that responds to external signals from outside the media drive.

Claim Rejections - 35 USC § 103

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 2-5, 8-9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,345,347 to Hopkins et al.

10. As to claims 2-3, Hopkins discloses using the host interface of the media drive to turn off a micro-computing unit, and then the other operating circuit components [col. 14, lines 7-19]. It would have been obvious to one of ordinary skill in the art that the various components could be

turned off in any suitable order. Furthermore, it would have been obvious to one of ordinary skill in the art that the components to be turned off could include components not being used during the low power mode, such as media drive memory [38].

11. As to claims 4-5, Hopkins discloses using the host interface of the media drive to wake up some of the plural circuit components first before the micro-computing unit being wakened up [FIG. 10]. Furthermore, it would have been obvious to one of ordinary skill in the art that the various components could be turned off in any suitable order.

12. As to claims 8-9, Hopkins discloses the signal is received from the host [col. 14, lines 1-19] via a bus [FIG. 1]. ATAPI is well known in the art to be a bus standard for communications between a device and a host computer; it would have been obvious to one of ordinary skill in the art to use ATAPI command signals to signal the device to wake the device from its low power state.

13. As to claims 11-13, Hopkins discloses the host interface responds to the external signal generated by pressing an external input button of a panel when the media drive is entering the sleep mode [col. 6, lines 65-67]. Hopkins teaches that an external button can resume drive functions; it would have been obvious to one of ordinary art that this button may be located at any suitable location, such as on the panel of the media drive.

Response to Arguments

14. Applicant's arguments filed December 20, 2006 have been fully considered but they are not persuasive.

15. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2116

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Chang whose telephone number is (571) 272-3671. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on (571) 272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 1, 2006

ec

REHANA PERVEEN
SUPERVISORY PATENT EXAMINER
3/5/07